

Remarks.

The subject application and preliminary amendment are being filed in response to the Final Office Action on USSN 09/808,550 which was mailed 06/27/2003.

In the subject Preliminary Amendment, Applicants have canceled claims 1-40, 42-47 and 49-92.

Accordingly, the claims remaining in the application after entry of the subject preliminary amendment are:

Claims 41 and 48.

In the subject application, the joint inventors of the remaining claims 41 and 48 are Christopher Albright, Ric Joranlien and Claude Mc Farlane.

Furthermore, William Knight was not a joint inventor of the subject matter claimed in any of the claims 41 and 48.

Additionally, in the Final Office Action mailed 06/27/2003, on page 6 thereof, the Examiner has stated with regard to 09/562,167 that this application "was filed jointly by Christopher Albright, Claude McFarlane, Ric Joranlien and William Knight". However, in fact, none of the subject matter of claim 41 of the 09/562,167 application, which is the same as claim 41 of the subject application, was invented solely by William Knight or jointly by William Knight with any of the other inventors.

Moreover, just because William Knight in the '376 Patent has claimed a particular combination of claim limitations does not make him a joint inventor along with the other inventors who are claiming a different combination of claim limitations in the subject application.


Regarding the US. patent 3,421,740 to Behrens, Fig. 2 thereof does not show the same arrangement as that claimed in the subject application. More specifically, in Fig. 2 of the '740 reference, the auger section 42a has flighting that is reversed relative to the flighting of the auger section 44a. Thus, the direction of flow is reversed as indicated by the opposed adjacent arrows. Such is not the case in the arrangement claimed in the subject application in which the flighting is all in the same direction.

Accordingly, Applicants are of the opinion that claims 41 and 48 of the subject application should be allowable over the prior art.

Allowance of claims 41 and 48 is earnestly solicited.

A petition for a one month extension is filed herewith.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David J. Archer".

David J. Archer.

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Applicant's representative